

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TRACEY GARY,

Plaintiff,

- against -

Docket No.: 08 CV 1157 (JSR)

STATE OF NEW YORK DEPARTMENT  
OF CORRECTIONAL SERVICES,

Defendant.

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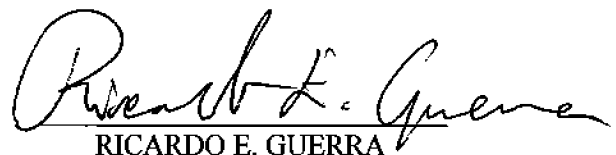
STATE OF NEW YORK )  
COUNTY OF NASSAU )

) ss.:

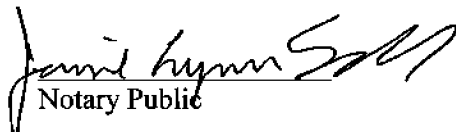
Ricardo E Guerra, being duly sworn, deposes and says that I am not a party to this action, am over 18 years of age and reside in Freeport, New York.

On June 10, 2008, I served a copy of the following document the Plaintiff's Memorandum of Law in Opposition to Defendants' Motion to Dismiss enclosed in a post-paid wrapper in an official depository under the exclusive care and custody of the United States Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name:

MARIA BAROUS HAROFILIS  
Assistant Attorney General  
Attorney for Defendant  
120 Broadway, 24<sup>th</sup> Floor  
New York, New York 10271  
(212)416-6295

  
RICARDO E. GUERRA

Sworn to before me this  
12th day of June, 2008

  
Notary Public

JAIME LYNN ECKL  
Notary Public, State of New York  
No. 02EC8185626  
Qualified in Nassau County  
Commission Expires April 21, 2012